

Request for City Council Committee Action from the Department of Regulatory Services

Public Safety and Regulatory Services Committee

Wednesday, September 23, 2009

Council Member Don Samuels

Date:

Referral to:

go to support those inspections.

To:

Subject:	Amending Title 14, Condinances relating to		the Minneapolis Code of censes.
Recommendation: That the Public Safety and Regulatory Services Committee approve an amendment to Chapter 362 to establish a clear definition of a duration of an event, set a clear deadline on submission of application, allow establishments to temporarily expand entertainment indoor and outdoors, and allow establishments located near the U of M TCF Stadium a total of 12 days of expansions per year.			
Previous Directives: None.			
Department Information			
Prepared by: Ricardo Cervantes, Deputy Director Licenses and Consumer Services			
Approved by: Rocco Forte Assistant City Coordinator Regulatory Services & Emergency Preparedness			
Presenters in Committee: Ricardo Cervantes			
Reviews Permanent Revie Civil Rights Appro Policy Review Gro		Approval	Date Date

Financial Impact: As a result of amended ordinance there may be increased revenue. However, these expanded licenses will need to be inspected and the increased revenue will

Community Impact

Neighborhood Notification: Notice of this proposed amendment was sent by email to all City of Minneapolis official neighborhood groups and business groups of record.

As a policy, Licensing has been allowing establishments to expand entertainment indoors. These events have created opportunities for the establishments and have not resulted in complaints.

The area around the U of M TCF Stadium has had 15 temporary expansions this year to date. They have all been inspected. They have all been in compliance. There has been no reported neighborhood or community impact from these expansions.

Supporting Information

Staff Report:

The ordinance amendment would clearly define duration of event. Currently the ordinance states that a licensee can make application 4 times a year. But it does not say how long the event can last in number of days. The amendment will also clarify the due date for application which is in policy right now. Currently the ordinance does not clearly state a deadline by which applications should be submitted. The amendment proposes that an application submitted less than 30 days before the event would require director granted fees.

The ordinance amendment will allow establishment to provide higher levels entertainment allowed by the zoning code indoors and outdoors. For example, if the establishment has a license that allows them to provide TV and radio entertainment, they could apply for an expansion license to allow non-amplified music by 1 musician which is of a higher class. Currently the ordinance allows this type of expansion only outdoors.

The ordinance amendment will allow establishments near U of M TCF Stadium an increased number of days of events. There are 13 alcohol establishments in this area. Three establishments have made application for temporary expansions. Stub and Herbs has made 6 applications, Sally's has made 2 applications, and Campus Pizza has made 7 applications.

Last year from September 1, 2008, to September 1, 2009, Licensing has processed 96 applications for expansion of premises citywide. Due to the vagueness of the current ordinance, it is difficult to say how many days each event lasted. However we do have temporary expansions that have had 30 days of duration, such as Oktoberfest applications.

The licensing fee for temporary expansions are \$158 and \$236 for applications submitted less than 30 days of the event.

Comparable Big Ten Cities

Ohio State, Columbus. Ohio does not have any special accommodation around stadium areas for bars to temporarily expand into patio/sidewalk/etc.

University of Wisconsin, Madison. No ordinance. Occasionally have street festivals downtown where streets are blocked off and allow bars and restaurants to serve/drink in the street. At renewal time, licensees give notice of when and whether they want to participate in street festival.

Regent Street leading up to stadium have premise license to have a beer tent or beer garden. They have to give diagram and it's only during Badger games. "Change of premise" on original license application.

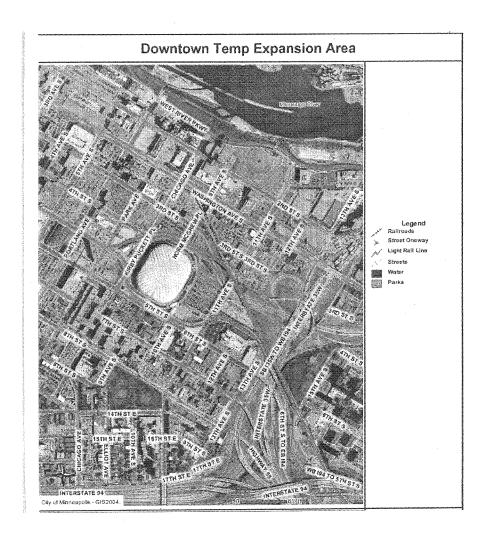
Northwestern University, Evanston, IL. Anyone is allowed up to 12 one-day temporary beer-wine permits at one location. Must have food.

University of Illinois, Champaign-Urbana. Champaign has temporary licenses for a special occasion. A Class T2 is for license holders to use an area that is contiguous to and extends no further than 100 ft from the business premise. Good for one day.

Champaign Mayor's office is the liquor commission. Any bars wanting outdoor events must get temporary event permits. Premises includes only indoor area otherwise. Must have dram shop insurance, building owner authorization to hold outdoor event, diagram of the event with exits, etc. Public health signs off if serving food outside. Must apply at least 3 weeks in advance. \$50 license fee and \$30 processing fee. Licensees have beer tent/garden accommodations as part of their regular license. Campus bars are limited -- can't have outdoor liquor wine beer, except for one day events. Only allowed 3 events in a calendar year.

Iowa State, Iowa City. Iowa City has no bars anywhere near the campus or stadium; they're all in downtown. University also bans liquor and beer in tailgating areas and in the stadium. They would not allow a downtown bar to "expand" into a different place to accommodate the game patrons, per state law.

St. Louis. Allows game day expansions of premises. Can block off the street or have in parking lot, depending on permits they get. No limit on the number of days they can expand.



University Avenue Temp Expansion Area

